

REMARKS

In the Office Action, dated February 2, 2006, the Examiner states that Claims 19, 21-25, 28 and 30-36 are pending, and Claims 19, 21-25, 28 and 30-36 are rejected. By the present Amendment, Applicant amends the claims.

It is first noted that in the previous amendment Claim 26 was mistakenly labeled as being cancelled. The Applicant herewith presents Claim 26 with the correct label of being previously presented.

In the Office Action, Claims 19, 21-25, 28 and 30-36 are rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Particularly, the rejection indicates the specification "fails to give explicit teachings about what are actual physical structures that constitute 'the grey scale region having a particular level of diffuse scattering of incident light' and the 'non-diffracting gray scale region with diffuse scattering characteristics' and "fails to teach specific working examples or operable examples of such claimed functions..."

The Applicant respectfully submits that there is no specific way of generating a randomly scattering surface, but the specification has provided as much description as can be provided in the examples given. Any given non-diffractive surface relief structure will reflect a particular percentage of incident light and will scatter a particular percentage of incident light. The manufacturer can choose a range of different surface relief structures, some of which are highly reflective (and therefore represent "brighter" pixels) and some of which are highly scattering (and therefore represent "darker" pixels). A full grey scale image can be created using the appropriate selection. In order to assist the Examiner further, a sample is submitted with this amendment. The sample includes highly magnified photographs demonstrating the nature of the individual pixels.

In the Office Action, Claims 19, 21-25, 28 and 30-36 are objected to with regard to the two claimed graphic elements, line art or text images. The Applicant has amended those claims to clarify that there are both macroscopic graphic, line art or text images which are formed from grey scale regions having one or more microscopic graphic elements, line art or text images.

In the Office Action, Claims 19, 21-25, 28 and 30-36 are rejected under 35

U.S.C. §103(a) as being unpatentable over Antes (US 5,032,003). The Applicant respectfully disagrees with and traverses this rejection.

The Applicant agrees that Antes refers to scattering regions. The reason for such reasons is not given, but it is probably to make the background regions dark so that the diffractive regions are highlighted. The Applicant does not claim to have invented scattering surface relief structures; the present invention claims the use of regions with differing degrees of scattering, in order to make a grey scale image.

The rejection appears to be mistaken in referring to column 1 lines 25-35 of Antes in the context of "diffusely scattered incident light". Light which strikes a surface relief structure which has a "spatial frequency" is diffracted, and not diffusely scattered. Line 27 of column 1 clearly indicates that the surfaces referred to in that paragraph "are effective for the **diffraction** of visible light". Column 6, lines 1 to 5, on the other hand, refer to the "structure dispersing the incident light... evenly in all directions **without interference**." The words "without interference" clearly indicate that there is no diffraction from these regions.

For these reasons, the Applicant does not consider that Antes makes obvious the presently claimed invention.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,



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Date

Attorney for Applicant
Brian W. Hameder
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 45613